

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor: Francesca B. Kuglen

Atty. Docket: K551-003.B

Serial No.: 10/764,279

Examiner: Robyn Kieu Doan

Filed: January 22, 2004

Art Unit: 3732

For: STRETCH COMB HAIR RETAINER

Confirm No.: 9690

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DECLARATION OF FRANCESCA B. KUGLEN

Under 37 CFR 1.132

This declaration is offered in support of the above-identified patent application.

1. I am the inventor in the stretch comb hair retainer described and claimed in the above-identified application.

2. On September 26, 2000, I received a patent (U.S. Patent No. 6,123,086) for a dual comb hair accessory product called the Hugger Comb™ based on an application I filed in October 1996. The Hugger Comb is comprised of a series of fabric covered elastic bands attached to the spines of two opposed plastic combs. The elastic bands stretch when the combs are pulled away from each other and inserted in the woman's hair, and hold the accessory in place.

3. In late 2000, I began working on an idea for a hair comb accessory product with beaded stretchable elements between the combs. I initially created a hair comb accessory similar to the Hair Hugger product, wherein I simply threaded beads onto parallel elastic strands and tied them between plastic combs. This beaded hair comb accessory product was unsuccessfully test marketed by QVC on their TV shopping channel in May 2000. It was

unstable and unbalanced when worn, had a tendency to become tangled, and was not comfortable to wear. The plastic combs were also bulky in comparison to the beaded elements of the accessory. These problems and the failure of the test market by QVC caused me to “return to the drawing board” and rethink the beaded product. The result was a new beaded stretch comb hair retainer accessory as described and claimed in my patent application No. 10/764,279 titled “Stretch Comb Hair Retainer”.

4. To have a usable hair comb accessory product that was beaded, I needed to solve the significant problems of my earlier effort. I needed to provide a stable product that could hold the hair in place and yet allow hair to be pulled through the accessory, and that did not tangle and was comfortable in the hair. I also wanted to solve the problem of the incompatibility of the bulky combs and the more delicate beaded elements of the accessory.

5. In considering how to resolve the problems of my earlier efforts, I came upon the idea of forming an elastic mesh between the combs from elastic strands. I also came upon the idea of experimenting with a completely different type of comb. I had once seen lighter weight wire loop combs in Japan that have flexible wire loop teeth twisted onto a spine. To my knowledge these combs were only available in Japan, and were used by Japanese women singly as decorative picks in finished hairstyles. An example of such a use is seen in Japanese Patent No. JP409299131A cited by the examiner, wherein a single wire loop comb holds the decorative combination of a ribbon, artificial flower and tassel.

6. Wire loop combs were not an obvious choice for the stretch comb hair retainer product of my invention. At the time of my invention, Japanese wire loop combs were, to my knowledge, not widely used, and were never intended for use in applications where a woman’s hair is pulled back and needed to be held in place by the comb. Based on my experience, it was

conventional thinking that combs needed to be relatively high in weight, such as combs made of plastic, wood or bone, in order to hold a woman's hair in place. The weight of the comb was associated with stability: the higher the weight, the more stable it was. Combs with relatively little weight, such as wire loop combs, were considered inherently unstable in hair.

7. Before my invention, I never considered wire loop combs for use with a stretch comb hair retainer product. Their use in my application, which required two opposed combs for holding a stretch comb hair retainer in place, was counter-intuitive. Wire loop combs are very light weight and their wire loop teeth are very flexible and bend relatively easily. They would not appear to hold well if forces were exerted on them. Moreover, the wire loops create openings in the teeth that would commonly be considered to create a problem with tangling. Hair can wrap around thin wire. Also, hair can get caught in openings in hair retaining items. Openings in hair retaining accessories are often avoided for this reason. That is why many hair accessory items (hair brushes, combs, barrettes) do not have holes.

8. When I first thought about using wire loop combs, I questioned whether they would work in my application, whether they would be comfortable and would hold a stretch comb hair retainer in place, and whether they could do so without becoming tangled in the hair. In my search for wire loop combs, I was not encouraged. I first contacted three of the largest comb suppliers to the hair accessory industry with whom I had previously done business. These contacts, which occurred in late July or early August of 2000, were made with the following: Rafaële Revais of Robert Revais, one of the oldest European manufacturers of hair combs; Rosemarie Pepin of Good Hair Days located in Leominster, Massachusetts; and Fred Chu, the owner of Bon Fame Ltd, one of the largest hair accessory manufacturers in the world, which manufactures in both China and Taiwan. Without providing any details about my new product

idea, I inquired of each of these manufacturers about purchasing Japanese wire combs. Rafaële Revais of Robert Revais told me her firm was well aware of the Japanese wire combs but did not produce them because they considered them an inferior product. She told me they bent out of shape easily, slid out of hair, and had virtually no holding power. Rosemarie Pepin of Good Hair Days said she was also aware of the Japanese wire pick combs, but did not carry them, and did not think they were strong enough to hold hair in place. She said she knew of no comb manufacturer who made them in USA. Fred Chu of Bon Fame Ltd said he was aware of the Japanese wire combs, and told me he did not stock them but could manufacture them for me if I placed orders for large minimum quantities. He warned me that he thought Japanese wire combs were weak, twisted out of shape easily and said he was concerned I would be dissatisfied with them.

9. Having been discouraged from using wire loop combs for any hair accessory application, I still wanted to test them. Through the Japanese Embassy in San Francisco, I finally located a Japanese source of the wire loop combs I was after. The source was a company called Daishin International of Osaka, Japan, which sent me samples to my size specifications. (Daishin International is to my knowledge no longer in business.) Upon receiving the samples, I experimented with my new design, and how to create it, and discovered my new double comb hair retainer design, and particularly the use wire loop combs in my new design, worked surprisingly well. I would not have predicted the result I achieved.

10. First, I discovered that the metal wire loop combs could hold the stretch comb hair retainer of my invention in place in the hair with surprising stability and comfort, and did not become tangled in the hair. I also noticed that the wire loop combs tended to disappear into the hair, which created a desirable aesthetic combination of elements that was not dominated by the

combs and that was not possible with conventional plastic combs. The switch from plastic combs to metal wire loop combs further solved the breakage problems associated with plastic combs. The elastic mesh created by the elastic strands also improved the stability of my stretch comb hair retainer when worn and created stretchable mesh of smaller openings that could be individually stretched open to allow hair to easily be pulled through the accessory at different points in the mesh.

11. Wire loop combs turned out to provide other unexpected advantages. One is that it allows a woman to comfortably wear the wire loop comb version of my stretch comb hair retainer under a helmet, such as helmets worn when riding bicycles or motorcycles. As compared to plastic combs or other similar high mass combs, wire loop combs have very thin profile. This thin profile allows the combs of the stretch comb hair retainer to lie flat on the head, thereby avoiding uncomfortable pressure points under the helmet, a condition sometimes called “helmet head,” associated with bulkier combs and ponytails that lift hair slightly off the surface of the head. Another advantage is that the teeth of a wire loop comb are widely spaced relative to the breath of each of its wire loop teeth, which prevents the teeth of the opposed combs from interlocking, as commonly occurs with combs with more massive and closely spaced teeth such as found in plastic combs.

12. I first introduced my new stretch comb hair retainer product to the market in November 2003, under the trademark Hair Hugger, through the multimedia retailer QVC, Inc. By 2006 the sales of Hair Hugger were strong and I was encouraged to create a company to exploit the product. This was done in November 2006 with the formation of a company called Sennits, LLC, of which I am a principal. The original Hair Hugger product is now marketed and sold by Sennits under the trademark “Hairzing through the Sennits website at

www.hairzing.com. (My stretch comb hair retainer product continues to be sold through QVC under the “Hair Hugger” brand.) All Hair Hugger and Hairzing products sold have used wire loop combs. And all have beaded elastic strands extending between the spines of the wire loop combs to form stretchable openings through which an amount of the wearer’s hair can be pulled. In one version, considered the best version, an elastic mesh is created from elastic beaded strands interconnected with connector beads. This is and has been the best selling version of my stretch comb hair retainer, including Hair Hugger’s sold through QVC. In another version, the elastic mesh is created by simply crisscrossing the beaded strands between the spines of the wire loop combs, wherein stretchable openings are created by the crisscrossed strands.

13. Since its introduction, Hair Hugger has become a very successful hair accessory product. Since Hair Huggers were first introduced through QVC in 2003, a total of 196,714 sets of Hair Hugger stretch comb hair retainers have sold through QVC as of October 2008. Each “set” contains two stretch comb hair retainers, meaning the unit sales of Hair Hugger products made by QVC through October 2008 totaled 393,428 units. I have been told by three different buyers for QVC that Hair Hugger is the most successful hair accessory product QVC has ever carried. The QVC buyers that told me this are: Karin Hohn, Jamie Ward-McGowen, and most recently, in 2007, Tabitha Wiley.

14. In addition to QVC sales, Sennits, LLC has, since its inception in November 2006, sold over 150,000 units of its Hair Zing branded product solely through its website at www.hairzing.com. Thus, the total sales of my stretch comb hair accessory product to date exceed one half million units. This sales level has been achieved without the products being available through major retail chain stores.

15. Attached hereto as **Exhibit A** are examples of favorable comments posted on the

QVC website regarding the Hair Hugger product. These comments include the following statements:

“Finally I have found a hair comb [accessory product] that stays in place...”

"I didn't have any problem what-so-ever putting these in my hair."

“There’s a finished look and it really, really holds!”

“I have very thick hair ... and it really holds”

"I have never been able to pull my hair back into a comfortable, attractive style because of regular combs, pins, scrunchies, etc. never stay holding my fine, straight hair."

"I have thick but fine hair and this is the only product that holds my hair and is COMFORTABLE to wear."

16. Attached hereto as **Exhibit B** are examples of unsolicited email comments received by Sennits, LLC regarding the Hair Hugger product. These comments include the following statements:

"Was I surprised when those little bitty wire combs were strong enough to hold all this! I still can't believe It."

"I have NEVER felt a comb that holds like Hairzing does! Why hasn't anyone ever made a product like this before?"

“...stay in all day and are easy to take out and don’t break or pull your hair....”

"I have never felt any hair accessory like this in my life. THANK YOU for inventing it."

“When I first saw Hairzing I thought it looked so flimsy, it would never hold.” ... “I cannot stop talking about how strong and comfortable it holds, I have never felt anything like this before.”

17. My Hair Hugger/Hairzing product has been widely copied by others. The following exhibit attachments are submitted as evidence of such copying:

**Exhibit C1:** copy of printout dated 9/8/08 of home page for website at Shemesh-Artz.com promoting third party stretch comb hair retainers and showing photos of models wearing stretch comb hair retainers in different hair styles.

Seller: Shemesh Artz  
Dallas, Texas

Product designation: Double Combs

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comment: Company founded in 2007. Informed and believe sales began no earlier than 2007. Photos of Double Combs on Exhibit B1 webpage includes unauthorized photos of Hairzing stretch comb hair retainer products (indicated by arrows), which are being passed off as a Shemesh-Artz product.

**Exhibit C2:** copy of printout dated 1/2/09 showing updated home page for Shemesh-Artz.com promoting stretch comb hair retainers.

Seller: Shemesh Artz  
Dallas, Texas

Product designation: Double combs

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comment: Hairzing photos have been removed

**Exhibit C3:** a photograph of a third party stretch comb hair retainer purchased in or about 2007.

Seller: Zhoe  
Rocksprings, Wyoming

Product designations: Double Combs; Double Hair Combs

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comments: Informed and believe product introduced in or about April 2005.

**Exhibit C4:** product flyer with photographs of third party stretch comb hair retainer products.

Seller -- Just Fantastic Inc  
1201 Broadway  
New York, NY 10001

Product designation: Haircombs

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comment: Informed and believe product introduced in March 2008.

**Exhibit C5:** photograph of third party stretch comb hair retainer.

Seller: Ningbo Jin Mao Import & Export Co., Ltd  
China source

Product designation: none

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comment: Informed and believe product introduced in or about June 2007.

**Exhibit C6:** copy of webpage printout dated 12/26/08 from uBuymart.com website showing hair retainers sold through website.

Seller: uBuyMart  
China source

Product designation: Haircombs

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comment: Informed and believe product introduced in or about April 2007.

**Exhibit C7:** Copy of recently obtained undated Product Brochure for third party stretch comb hair retainer product.

Seller: Rocky Mountain Jewels  
Bayfield, Colorado

Product designation: Hair Pizzazz

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

Comment: Informed and believe product introduced in September 2008. Photos in brochure are unauthorized photos of the Hairzing stretch comb hair retainer product, including photo of me inserting stretch comb hair retainer into my hair.

Text in brochure taken from Hairzing promotional materials.

**Exhibit C8:** copy of webpage printout dated 12/30/08 from website at [www.buyezcombs.com](http://www.buyezcombs.com) showing hair retainers sold through website.

Seller: TeleBrands, Corp.

Product designation: EZ Combs

Product features: opposed wire loop combs; beaded elastic strands extending between the spines of combs and forming stretchable openings

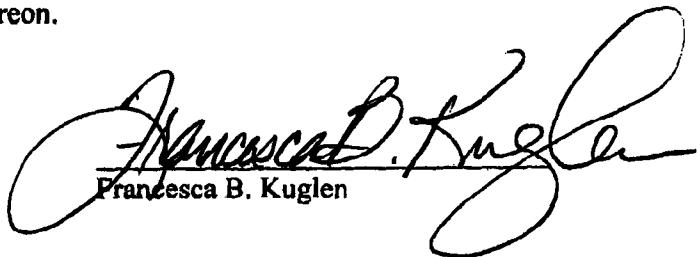
Comments: Informed and believe product introduced in October 2008.

18. In regards to Exhibit C8, Telebrands, Corp. is one of the largest infomercial companies in the world. Sometime in early 2005, Telebrands contacted me and requested a meeting to discuss my Hair Hugger product. In April 2005, I met with Telebrands President, AJ Kubani, and Vice President, Bala Iyer, in Philadelphia, PA, and they told me they had seen Hair Huggers on QVC and thought that it was a new and original product, and said they wanted to take the Hair Hugger product to television in a Direct Response/Infomercial format. However, their conditions were unacceptable. Their conditions included the right to manufacture Hair Huggers using any manufacturing source they wanted without oversight, including oversight as to reasonable labor standards and conditions. I was opposed to this and consequently refused to allow Telebrands to handle my product. They have since begun marketing copies of a version of my Hair Hugger product as shown in Exhibit C8.

**[DECLARATION PAGE FOLLOWS]**

The undersigned declares that all statements of her own knowledge made herein, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements made jeopardize the validity of the above-identified application, or any patent issuing thereon.

Date:

Jan 7, 2009  
Francesca B. Kuglen

Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

## EXHIBIT A

SN 10/764,279  
Kuglen 132 Declaration  
Exhibit A

Yahoo

Posted by venuka ivy 07-15-08



"I love these hair huggies. I have thin hair and they work great. I gave one to a friend with thick hair and they work great. No headaches like you can get with a pony tail band. Please!!!! make more colors like purple, green, red-white-blue combo."

Was this review helpful to you? Yes | No Report Inappropriate Review

Share this Review:

### FINALLY! A HAIRCOMB FOR STRAIGHT FINE HAIR

Posted by tricia 07-12-08



"I have never been able to pull my hair back into a comfortable, attractive style because regular combs, bands, pins, scrunchies, etc. never stay holding my fine, straight hair. This is the first and only item that holds my hair in place for hours, in several styles; and it's pretty. It didn't fall out even when swimming in the ocean. No worry about breaking hair as happens with bands. QVC, I'd like to have a smaller version as well."

Was this review helpful to you? Yes | No Report Inappropriate Review

Share this Review:

### "Do yourself a Favor!"

Posted by dawnerskillet 07-06-08



"2 years ago I purchased a set of these hair huggers and since then I have purchased all colors available plus some extras. I have given them as gifts, as so many people have asked about them. I use them almost every day and get many compliments. Strangers come up to me and ask where I got them and I always tell them on QVC! I only wish that I could order just the colors I want, you can only use so many black ones! I would appreciate it if you could get like 2 pearl ones, 2 red ones etc. instead of always black! but other than that I find them to be excellent hair accessories and can't imagine being without them, please add more colors. Also thank you for finally letting us know both colors that will come with a set, originally it said pearl and we received only 1 pearl and then 1 black bead. For those of you that have trouble keeping them where you want them, try putting your hair in a ponytail first and twist your hair however you want it to go and then put it in place, it will hold really tight!"

### Totally love it

Posted by nonname1 07-29-08



"I have been trying to let my hair grow and these are the best thing for the "in between stages". I have received so many compliments about them. I just ordered two more!"



### Absolutely LOVE them

Posted by Inch300M 07-19-08



"I have thick but fine hair and this is the only product that holds my hair and is COMFORTABLE to wear. I

even sleep with them in my hair. I receive so many compliments on them and everyone wants to know where I got them and of course I tell them. Like another person asked - I would love to see a smaller version also. I have bought every color. Thanks so much and keep up the great product."

Was this review helpful to you? Yes | No Report Inappropriate Review

Share this Review:

### Luv Luv Luv III

Posted by Chana in Lansing MI 07-17-08



"I have purchased at least four of these sets since they first aired with Lisa on PM Style. I have heavy long hair that is very smooth in texture. At first, they did not hold my hair all day, it was falling out the bottom after a couple of hours. After a few tries, I discovered that they worked great if I started the twist higher up on the back of my head.

"In the first set (amber & blue), the amber one broke and I had little beads everywhere. I loved them so much that I repurchased and gifted the blue duplicate. I am coming back for the metallic. I already have a set with gold, but not silver so will give the gold away as a gift."

### So easy to use!!!!

Posted by drseuss61 06-26-08



"This product is so cool!!! I have hair just past my shoulders. In truth, it took me a couple of times to get the combs to in my hair the right way. (The package has a good explanation on it.) By the third try, I was good to go. I am tired of wearing my hair in a ponytail all the time. These combs are VERY pretty and make it pretty simple to pull your hair back or up. I bought the set of red and blue. I am planning on buying another set. Thanks for the "heads up" on airport security. I am flying in July and would never dream that these would set off the security beeper. One other thing. You can rest your head backward on your seat and it doesn't hurt. I think these are wonderful. Give them a try. You won't be sorry!"

### Love this product!

Posted by DGleacher3 04-13-08



"I bought the hair hugger set in metallic last week and have been wearing them almost every day since I got them. They are sooo easy. I am a teacher and it makes it easy to put my hair up. My students just love the sparkle. I have gotten compliments and asked how I got my hair to do "that" and where can I get the hair huggers. I have long hair and usually when I put my hair up in a pony tail I get head aches, but I haven't gotten a headache with my hair huggers. I came back to the website today and bought them in blue and pink and also the natural "wooden" looking ones. They are my new best friends to my hair! Thank you QVC!"

Top 1000 Reviewer

### Way too fun!!

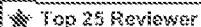
Posted by Lindaglenn62 06-17-07



"I just got mine and I can't stop playing with them!! I have very curly, but thin hair, and I have no problems with these guys holding my hair in my customary ponytail on top of my head. It took a couple of tries to get the hang of them, but they are worth every penny! Don't be afraid to experiment with these cuties! You almost can't make a mistake!"

1 of 1 people found this review helpful

Was this review helpful to you? Yes | No Report Inappropriate Review

 Top 25 Reviewer

### Wow---These Are Cool!!!!

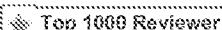
Posted by jkenn 06-16-07

★★★★★

"Finally I have found a hair comb that stays in place (I have fine straight hair & others slide right out) & that I can figure out how to use!!! These are great. I wore it in to my beauty shop yesterday & when I removed it EVERYONE had to come over to see and try it. They all wanted one. Please...Please make others in different colors of comb (all the ones I've seen are blk w/various colors of beads) & how about a smaller version for children!!! Thanks for a wonderful & pretty product. They've come in handy on these 100 degree plus hot summer days in the midwest!!!!"

1 of 1 people found this review helpful

Was this review helpful to you? Yes | No Report Inappropriate Review

 Top 1000 Reviewer

### I'm wearing it right now!

Posted by jeans 06-16-07

★★★★★

"I received this product day before yesterday and have used it everyday since~! I have long (half way down my back and unruly a lot of the time) hair. I don't like my hair in my face, especially when it's hot! I put this in my hair first thing in the morning and I don't have to mess with it at all until I take it out before I go to bed. I didn't have any problem what-so-ever putting these in my hair. As another reviewer wrote, the teeth of the combs need to be facing each other. I love the unique look I get with it in my hair, I feel neat and put together. I would get tired of wearing my hair the same way over and over and have been looking for something different yet easy to use and would work in my crazy hair. It sure is nice having an alternative to the same old hair ties and hair clips that they sell at the stores. I thought they were a bit pricey but if they hold up and last a long time without breaking they will be well worth every penny!"

### amazing for short and long hair

Posted by clotherhorse 10-07-07

★★★★★

"I had longer hair when I ordered these and then got it cut - these things are amazing! There's a finished look and it really, really holds! On weekends when I don't want to wear a dumb looking cap or whatever to hide my hair, this hugger makes me look great. Just get them in all colors!"

Was this review helpful to you? Yes | No Report Inappropriate Review

### Excellent

Posted by Hawk Lady 10-07-07

★★★★★

"I just received these and tried them. They are, absolutely, as easy to use as shown on the program, and they really hold! I have very thick, nearly waist length hair, and it really holds. So much nicer than using clips. Much more comfortable, too! I'm ordering more."

Sort Reviews By...



1 of 1 people found this review helpful.

Was this review helpful to you? Yes | No Report Inappropriate Review

Top 1000 Reviewer

### Way too fun!!

Posted by hysieghamm02 08-17-07



"I just got mine and I can't stop playing with them!! I have very curly, but thin hair, and I have no problems with these guys holding my hair in my customary ponytail on top of my head. It took a couple of tries to get the hang of them, but they are worth every penny! Don't be afraid to experiment with these cuties! You almost can't make a mistake!"

1 of 1 people found this review helpful.

Was this review helpful to you? Yes | No Report Inappropriate Review

Top 25 Reviewer

### Wow---These Are Cool!!!!

Posted by Joan G 08-16-07



"Finally I have found a hair comb that stays in place (I have fine straight hair & others slide right out) & that I can figure out how to use!!! These are great. I wore it in to my beauty shop yesterday & when I removed it EVERYONE had to come over to see and try it. They all wanted one. Please...Please make others in different colors of comb (all the ones I've seen are blk w/various colors of beads) & how about a smaller version for children!!! Thanks for a wonderful & pretty product. They've come in handy on these 100 degree plus hot summer days in the midwest!!!!"

1 of 1 people found this review helpful.

Was this review helpful to you? Yes | No Report Inappropriate Review

Top 1000 Reviewer

### I'm wearing it right now!

Posted by Jeana 08-15-07



"I received this product day before yesterday and have used it everyday since~! I have long (half way down my back and unruly a lot of the time) hair. I don't like my hair in my face, especially when it's hot! I put this in my hair first thing in the morning and I don't have to mess with it at all until I take it out before I go to bed. I didn't have any problem what-so-ever putting these in my hair. As another reviewer wrote, the teeth of the combs need to be facing each other. I love the unique look I get with it in my hair, I feel neat and put together. I would get tired of wearing my hair the same way over and over and have been looking for something different yet easy to use and would work in my crazy hair. It sure is nice having an alternative to the same old hair ties and hair clips that they sell at the stores. I thought they were a bit pricey but if they hold up and last a long time without breaking they will be well worth every penny!"

1 of 1 people found this review helpful.

Was this review helpful to you? Yes | No Report Inappropriate Review

**amazing for short and long hair**

Posted by clotheshorse 10-07-07



"I had longer hair when I ordered these and then got it cut - these things are amazing! There's a finished look and it really, really holds! On weekends when I don't want to wear a dumb looking cap or whatever to hide my hair, this hugger makes me look great. Just get them in all colors!"

Was this review helpful to you? Yes | No Report Inappropriate Review

**Excellent**

Posted by Hawk Lady 10-07-07



"I just received these and tried them. They are, absolutely, as easy to use as shown on the program, and they really hold! I have very thick, nearly waist length hair, and it really holds. So much nicer than using clips. Much more comfortable, too! I'm ordering more."

▼**Finally no hair headache!**

Posted by unforgettable 10-06-07



"These are great! After wearing my hair up all day, no hair headache that the banana clips give me.

Love the way they lay flat against my head so sitting on the couch or driving in the car you don't have to take the clips out of your hair.

I have fine hair and they stay put!

Definately recommend them!"

Was this review helpful to you? Yes | No Report Inappropriate Review

**Finally a hair clip that works**

Posted by jerseygirl1943 10-06-07



"I have very thick hair and nothing could hold it. Sooner or later there goes the clip and then goes my hair in all directions. I tried both the clips for 2 days and I am happy to say it worked! Plus it has a designer victorian look that is appealing to me. Good work. Thanks so much"

Was this review helpful to you? Yes | No Report Inappropriate Review

**WORKS WELL**

Posted by SPEECH 09-26-07



"I LOVE THESE HAIR HUGGERS! I WOULD LIKE THE COMPANY TO CONSIDER MAKING THE COMBS AND BEADS IN A LIGHTER (IVORY) COLOR FOR THOSE OF US WITH BLONDE HAIR."

1 of 1 people found this review helpful.

Was this review helpful to you? Yes | No Report Inappropriate Review

**great item**

Posted by camping queen 09-28-07



"I have several of these hair combs and I love them. I swim in them and they don't come out. They are comfortable and lay flat on your head. When driving in a car they don't knock into the headrest. One warning they will set off metal detectors at airports, but other than that love them."

1 of 1 people found this review helpful.

Sort Reviews By...



**This is a keeper**

Posted by jena b 12-09-07



"I have very thick shoulder-length hair, and very few hair accessories hold it all day. If I find something that feels secure, it is usually not very comfortable. These are great! They hold my hair very securely, and I actually forget they're there. Another 5 star product!"

Was this review helpful to you? Yes | No Report Inappropriate Review

**Definitely Worth the Money**

Posted by Leeah 12-08-07



"I have thick, layered hair about shoulder length. These work very well in my hair. I have always had a difficult time keeping my hair up using combs or clips. Definitely happy with my purchase. I use them mainly to put all of my hair up in a french twist and they work wonderfully."

Was this review helpful to you? Yes | No Report Inappropriate Review

**WONDERFUL PRODUCT**

Posted by pasek002 12-06-07



"I have thin shiny hair that is shoulder length and was leary of buying these as everything I put in my hair just falls out. I was pleasantly surprised that these actually stay in my hair and look beautiful. If you are on the fence as to whether these will work for you or not, they definitely are worth the try -- I am sure you will be pleasantly surprised also."

Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

## EXHIBIT B

-----Original Message-----

From: Nikki Adams [mailto:[mwedzi@yahoo.com](mailto:mwedzi@yahoo.com)]  
Sent: Tuesday, June 03, 2008 9:20 PM  
To: [customercare@hairzing.com](mailto:customercare@hairzing.com)  
Subject: Website Enquiry

SN 10/764,279  
Kuglen 132 Declaration  
Exhibit B

First Name: Nikki

Last Name: Adams

City

State:

Feedback About: Our products

Newsletter: No

Comments:

I just wanted to show some pictures of my hair with your hair zing. There aren't any pictures on your website of anyone with hair like mine. A suggestion is that you have a customer photo gallery. I wasn't going to buy hair zing because I didn't think they would fit..combs never work in my hair. Was I surprised when those little bitty wire combs were strong enough to hold all this! I still can't believe It. I can do styles for the first time with combs---see my subdued hair (set in twists to make it smaller). See here:

<http://public.fotki.com/mwedzi/hair/goldhairzing2.html>

<http://public.fotki.com/mwedzi/hair/hairzingtophalfback1.html>

--Nikki

IP: 75.22.197.61

-----Original Message-----

From: Joy Montellano-Daluraya [mailto:[joyous924@yahoo.com](mailto:joyous924@yahoo.com)]  
Sent: Friday, July 04, 2008 11:29 AM

Dear Francesca, My family and I met you on the 3rd of July at the San Diego County Fair. Your product is amazing, the answer to my prayers! I am growing my hair out to donate and was about to cut my hair 2 inches short of my goal because I had no way to put my hair up other than a pony tail. Thanks for such a beautiful and effectively strong product. I have never been able to wear hair combs because they fall out and hurt. I have NEVER felt a comb that holds like Hairzing does!

Why hasn't anyone ever made a product like this before? My daughters love theirs too! We want to head back to the fair to purchase more! Thanks again for saving my hair and keeping me stylish!

IP: 24.165.12.143

-----Original Message-----

From: DEDRIANN OBERG [mailto:[dedriann2002@yahoo.com](mailto:dedriann2002@yahoo.com)]  
Sent: Sunday, July 13, 2008 6:33 PM  
To: [customercare@hairzing.com](mailto:customercare@hairzing.com)  
Subject: Website Enquiry

First Name: DEDRIANN

Last Name: OBERG

City

State:

Feedback About: Our products

Newsletter: Yes

Comments:

I just LOVE my HairZing!!!! (I wear it everyday...good thing I bought 3!!!

Have

never had a hair comb like this, I forget it is in my hair! Now THAT is comfort...I have never felt any hair accessory like this in my life. THANK YOU for inventing

It!

I bought them at the MN Back to the 50's Car show. Will you be at any other shows in the st. Paul area?

IP: 71.34.60.98

-----Original Message-----

From: Claire Hale [mailto:[llooktolove@hotmail.com](mailto:llooktolove@hotmail.com)]  
Sent: Tuesday, July 29, 2008 1:12 PM  
To: [customercare@hairzing.com](mailto:customercare@hairzing.com)  
Subject: Website Enquiry

First Name: Claire

Last Name: Hale

City

State:

Feedback About: Our products

Newsletter: No

Comments:

Hi, I live in the UK and recently bought 2 Hairzings from yourselves, just to say that I love the Hairzings. They do exactly what you say, they stay in all day and are easy to take out and don't break or pull your hair, at first I was scared of stretching them too much in case they snap, but they really are quite stretchy and so pretty, and I love all the different hairstyles that you can achieve, have been getting so many compliments about them. I hope that you will be making more colours in the Skinny Large and the Medium as think there seems to be more colours in the large sizes. Thank you for making a fantastic product.

**From:** Uralowich, Margie  
**Sent:** Tuesday, July 22, 2008 7:52 PM  
**To:** 'customercare@hairzing.com'  
**Subject:** OVERWHELMING HAPPINESS TO SHARE  
**Importance:** High

Dear Team Zing:

I am 50 years old and have had waist length (or longer) hair since childhood. I also have 3 sisters, we are all exactly 1 year and 14 days apart and we all have long, thick hair. Our Mother is Spanish/Filipino and our Father is Swedish and French Canadian. And we all want to thank you, over and over again from the bottom of our hearts for your wonderful invention of the HAIRZING! Finally, something that will hold our very, very, very thick and long waist-length hair. Do you know how many hair combs we have purchased over all these years (not to mention all the millions of dollars we have actually just thrown away!) trying to find just that one that would hold all our hair? Just come to my house...I can show you baskets, boxes, containers, etc., filled that just do not hold!! (I have always had to use 2 or 3, sometimes more). When I first saw Hairzing I thought it looked so flimsy, it would never hold. It looked strange, I had never seen a comb like that before, and I have been around the block! Now to think, I, myself, have been on "Cloud 9" (literally!) since I purchased my first Hairzing last Sunday. I cannot stop talking about how strong and comfortable it holds, I have never felt anything like this before. Today I brought it in to work for "live" demonstrations during lunch and break. Everyone wants one!!! Anyway, this is my story....

I attended The Peach Festival in Marysville, California on Saturday night when I spotted this fabulous hair accessory as it was being demonstrated on live models. Since the line to purchase was so long, I decided to return early Sunday morning when "the gates opened" at 11:AM. After waking up at 8:00AM, all I thought about was how badly I needed to get myself a HAIRZING, while worrying that either the booth would be gone or that there would only be a few choices remaining and none of the choices would be in the large size. At 10:45AM, I was at the booth! They were all set up and ready to go! I was thrilled! I did not need a demonstration on how to apply it or what size I needed or even what color to pick! Remember.... I had been there the night before! I had watched demonstrations (amazing) for more than an hour and had made my decision on the one I would be back to purchase. I was on a mission! All I wanted to do was buy it and get home as fast as I could so that I could practice on all the hairstyles. I was just amazed at how quick and easy each hairstyle was to complete. Anyway..... I called my sisters and told them all to come over because I had finally found the answer to what would make all of our lives so much easier from now until forever. They came over and I shared my HAIRZING with them. We shared the afternoon together, practicing all the hairstyles (and some of our own!) on each other that and realizing just how long it had been since all 4 of us had spent time together just laughing and sharing and being happy. And to think that a HAIRZING could do all that.....amazing! My only regret? That I had not purchased 4 so that they could each have 1 to bring home with them.

I decided that I needed to write this letter for 3 reasons:

1. To tell you how happy I am to have found your wonderful product and share my/our happiness with you.
2. To get info regarding the requirements to becoming a "Team Zing" region.
3. To find out how I can get more in between shows.

I will be waiting on pins and needles to hear from you. All my contact information follows.

***Margie Uralowich***

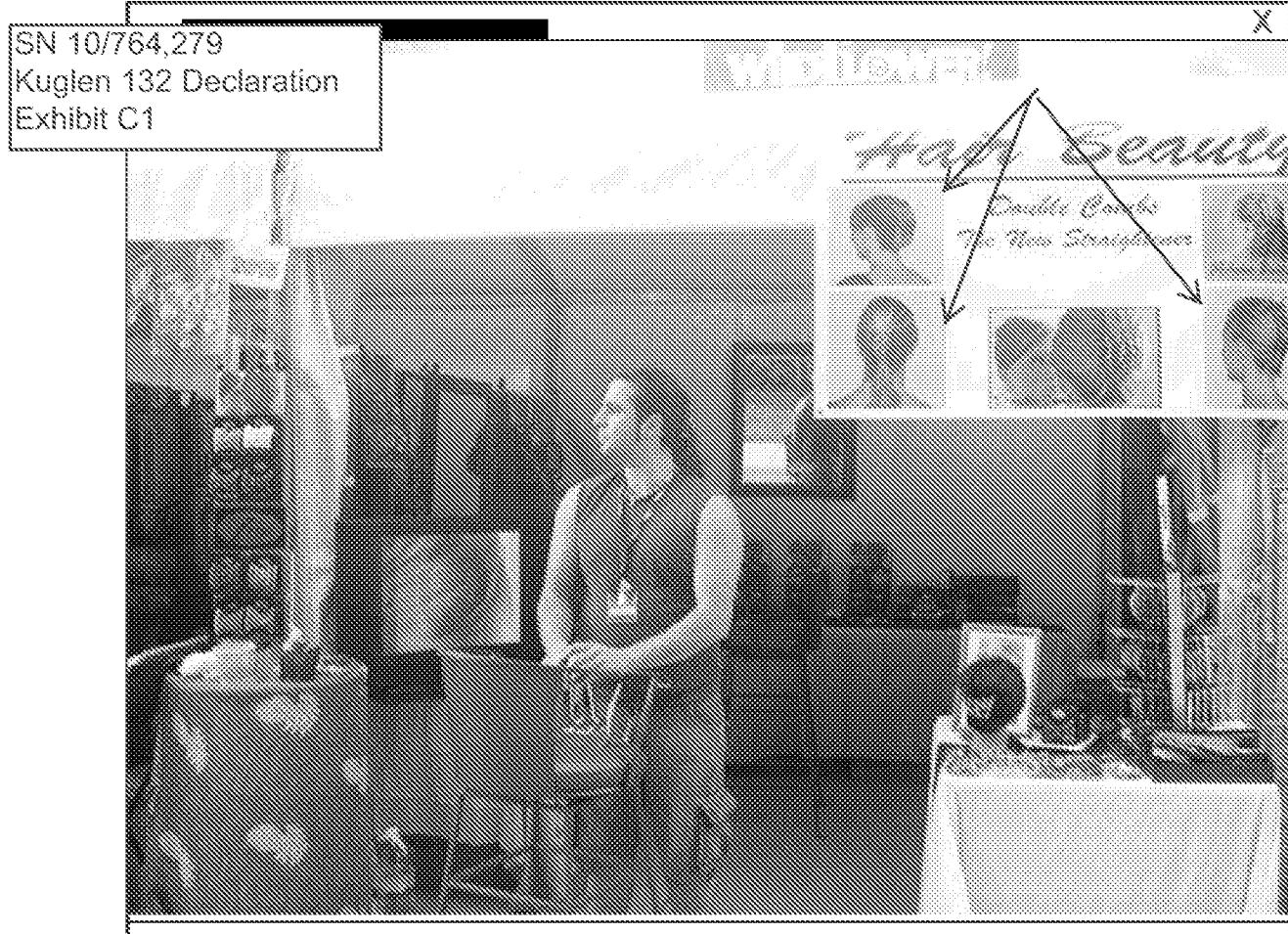
Executive Assistant  
Yuba County Agricultural/  
Weights & Measure Dept  
915 8th Street Suite 127  
Marysville CA 95901  
(530) 749-5400 Office  
(530) 749-5404 Fax  
[muralowich@co.yuba.ca.us](mailto:muralowich@co.yuba.ca.us)

Application Serial No. 10/764,279

Declaration of Francesca Kuglen

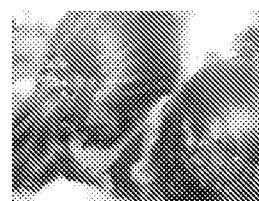
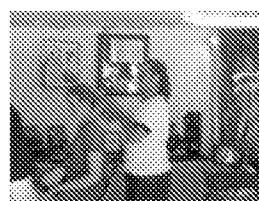
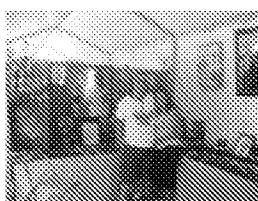
37 CFR 1.132

**EXHIBIT C1**



הבא

למטה הקורתה



Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

**EXHIBIT C2**



SN 10/764,279  
Kuglen 132 Declaration  
Exhibit C2

| Home | Hair Styles | Tutorials | Catalog | Contact |

Every Day

Special Occasion

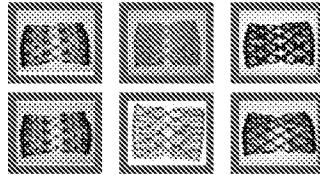
Kids Like

Every Day

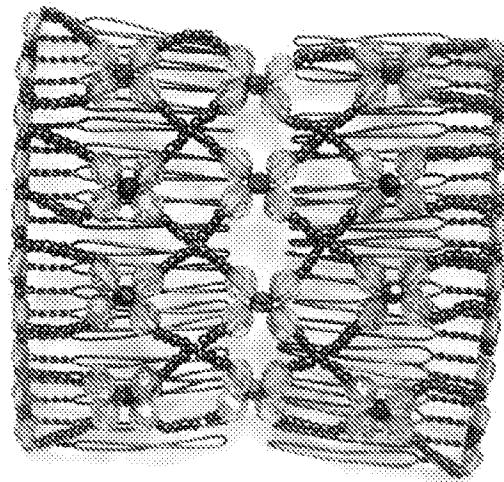
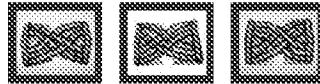
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Catalog No. 0003



Catalog No. 0062



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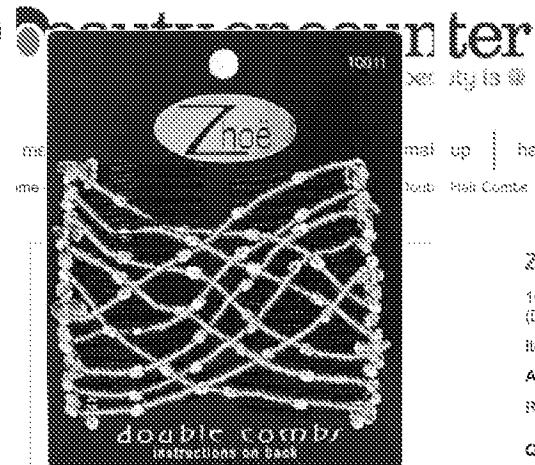
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Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

**EXHIBIT C3**



Zhoe Double Hair Combs  
10011 Gold & Silver (Discontinued)

Customer Rating:

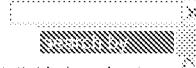
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SN 10/764,279  
Kuglen 132 Declaration  
Exhibit C3

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Search: Hair Combs

### Zhoe Double Hair Combs

10011 Gold & Silver  
(Discontinued)

Item No. 491086100119

**Availability:** Usually ships within 1 business day

Regular Price: \$11.88

Quantity: 1



DESCRIPTION

HOW TO USE

#### 10011 Gold & Silver (Discontinued)

Zhoe Double Combs:

- Creates a snug fit for your hair
- Perfect for up do's, French twists, half up, ponytails, and more
- Hair will look terrific
- Twist it for a butterfly or bow look

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Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

**EXHIBIT C4**

SN 10/764,279

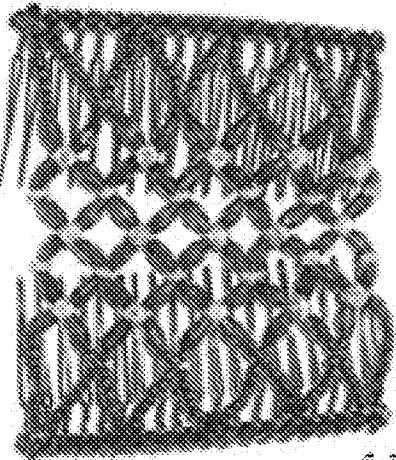
Kuglen 132 Declaration

Exhibit C4

3.46 X 3.07 X 0.22

27g

0.061b



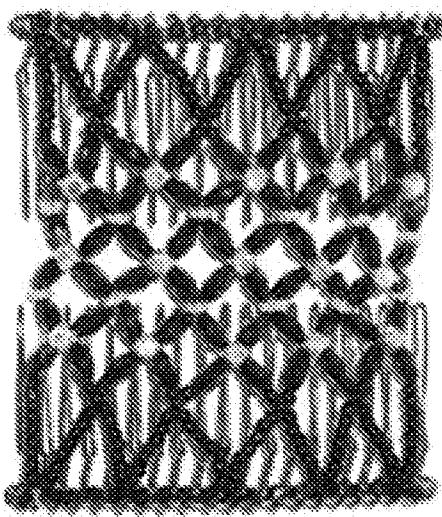
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P.081881

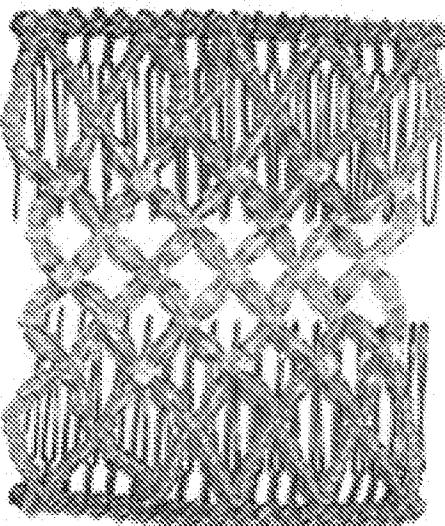
Haircombs

(A)

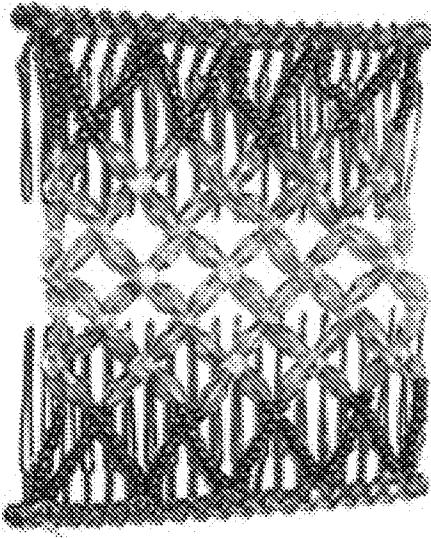


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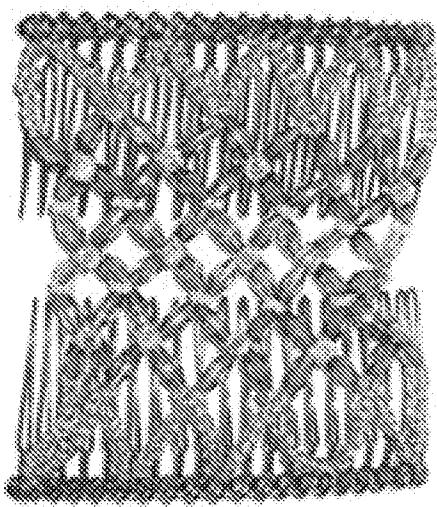
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081881-400 (903594)



081881-700 (903595)



Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

**EXHIBIT C5**

SN 10/764,279  
Kuglen 132 Declaration  
Exhibit C5



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Declaration of Francesca Kuglen

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**EXHIBIT C6**



SN 10/764,279  
Kuglen 132 Declaration  
Exhibit C6

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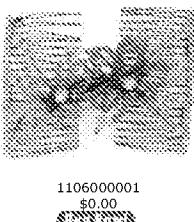
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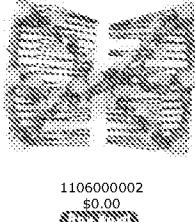
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- [Bracelets-> \(182\)](#)
- [Brooches \(120\)](#)
- [Cabochons Jewelries \(70\)](#)
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  - [Haircombs \(13\)](#)
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## Haircombs

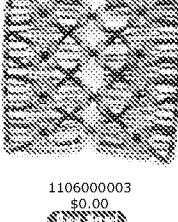
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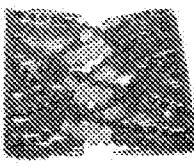
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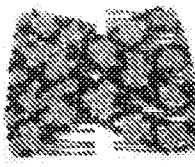
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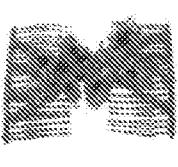
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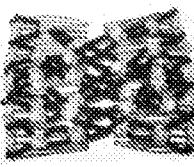
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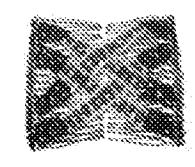
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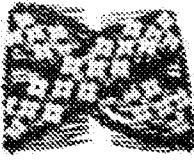
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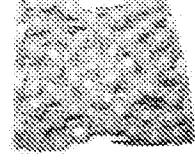
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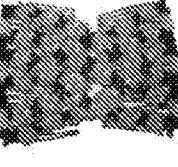
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1106000010  
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1106000011  
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Application Serial No. 10/764,279

Declaration of Francesca Kuglen

37 CFR 1.132

**EXHIBIT C7**

SN 10/764,279

Kuglen 132 Declaration  
Exhibit C7

## Adjust for comfort

The closer together you have the combs  
teeth the looser the comb will be.  
To tighten for a more secure hold spread  
the combs further apart. The closer to the ear  
the combs are the stronger the hold will be.  
Make it comfortable and it will hold all day.  
So add some Pizzazz to your hair today.

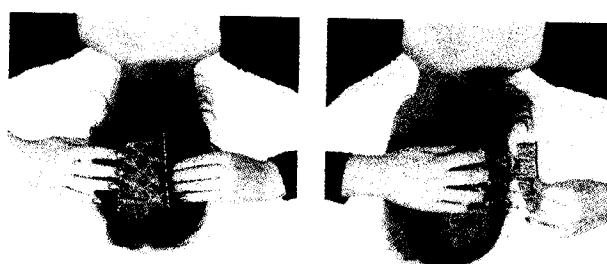
[www.peruvianjewelryimports.com](http://www.peruvianjewelryimports.com)

[mountain\\_jewels@mydurango.net](mailto:mountain_jewels@mydurango.net)

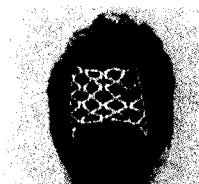
[WWW.STORES.EBAY.COM/](http://WWW.STORES.EBAY.COM/)  
ROCKY-MOUNTAIN-JEWELS

Take comb 2 with left hand and stretch it towards your  
opposite ear. It is strong and won't break. Turn teeth of  
comb down so the teeth touch your scalp. Slide into  
your hair so the teeth of both combs are facing each  
other under your hair. See photo 4

Hold clip first comb in place use other hand to pull back  
the hair you want on the left side. Place the hair under the  
finger tips of right hand that is holding clip #1  
See photo 3



# HAIR PIZZAZZ



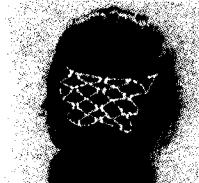
FRENCH TWIST



SHORT HAIR



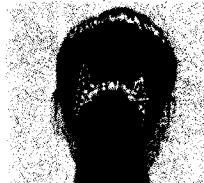
BUTTERFLY



BASIC PULL BACK



1/2 PONYTAIL



SPORT PONY TAIL



2 PONYTAILS



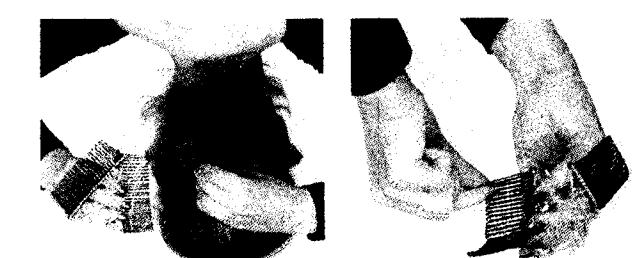
1 OR 2 COIL BUN



SEE INSIDE

Gather the hair you want to pull back and slide the first  
comb into place. The teeth of the comb will face the  
back of your head. Hold in place with your fingers.  
Continue up through the beads, to rest on the top of the  
curve. See photo 1

Hold the first comb in hand with the curve facing down.  
The thumb rests under the curve and the other fingers  
continues up through the beads, to rest on the top of the  
curve. See photo 2



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37 CFR 1.132

**EXHIBIT C8**

SN 10/764,279  
Kuglen 132 Declaration  
Exhibit C8



**EZ Combs™** is the new hair accessory that stretches to easily create popular hairstyles instantly! It's great for women of all lifestyles with thin and thick hair. Today as part of this special internet offer, you will receive the amazing new **EZ Combs™** in fashionable Caramel Bronze and Dazzling Silver for only \$10 plus \$6.99 shipping and handling. As a **BONUS**, you'll also get our Classic Bermuda Black EZ Combs™ and our helpful Styling DVD that you'll love, just pay separate \$6.99 shipping and handling. This special **EZ Combs™** offer for only \$10 is not available in stores so the only way to get it is to place your order now!



### Perfect For Any Occasions!

**EZ Combs™** works like magic to transform your hairstyle from ordinary to beautiful - in just seconds. You'll easily create an amazing looking result that will impress people. The best part is that it's so comfortable to wear, that you'll wear it for hours without even remembering you have it on. The secret is the specially designed dual combs with 10 durable bungees that stretch and hold your hair. **EZ Combs™** works beautifully on any hair type...thin, thick curly or straight. They even look great on short hair too! You can create so many styles with **EZ Combs** that you'll want to use it compliment any style or occasion. You'll get the popular Caramel Bronze and the Dazzling Silver **EZ Combs™** so you can use it to match different styles. So, if you're like most women with busy and hectic lifestyles, you'll want to always look your best every time you go out. This is a product you need to have. So treat yourself to a **EZ Combs™** today while this special promotion is still active!

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